IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Fish et al.	§	Filed: December 9, 2003
Serial No.: 10/731,079	§	Group Art Unit: 2164
Confirmation No.: 3767	§	Examiner: Cory C. Bell
For: METHOD OF JOINING DATA AND ITS METADATA USING DYNAMIC METADATA IN RELATIONAL DATABASE	§	

MAIL STOP APPEAL BRIEF - PATENTS
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February 12, 2008	/John C. Garza/
Date	John C. Garza

REPLY BRIEF

Applicants submit this Reply Brief to the Board of Patent Appeals and Interferences in response to Examiner's Answer mailed on December 12, 2007. While Applicants' maintain each of the arguments submitted in Applicants' previously submitted Appeal Brief, Applicants make the following further arguments in light of the Examiner's Answer.

CORRECTION

Applicants have observed that claims 9-11 were inadvertently overlooked in the Summary of Claimed Subject Matter, Grounds of Rejection, Arguments, and Conclusion sections of the Appeal Brief dated September 28, 2007. Applicants intended to include claims 9-11 in the Appeal Brief, as they are believed to be allowable for the same reasons given for claims 1, 12 and 17.

ARGUMENTS

1. Claims 1, 2, 4, 7-13 and 15-20 are not anticipated by *Bays* under 35 U.S.C. § 102(a) and 35 U.S.C. § 102(e).

The Applicable Standard

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

The Examiner's Arguments

On pages 7-13 of an *Examiner's Answer*, the Examiner asserts that the "Appellant's argues a limitation narrower that which is claim, misconstrues the examiners response in the advisory action, and fails to recognize that *Bays* teaches the limitation even if it were to be read as narrowly as Appellant argues" (*Examiner's Answer*, page 8). Further, the Examiner argues that the recited limitation of "generating a linking value" is inherent in the existence of "pointer information." In response,

Applicants respectfully maintain that each of the arguments presented in *Applicants' Appeal Brief* are correct, and further provide the following arguments in response to the Examiner's answer.

Applicants' Response to Examiner's Arguments

In the *Examiner's Answer*, the Examiner first argues that the Claim 1 limitation of *a field containing the consolidated data* "could be interpreted that any of the annotation fields is a field containing consolidated data, as each field for which their data has been consolidated" (*Examiner's Answer*, page 8). Claims 12 and 17 are rejected on a similar basis. Applicants respectfully submit that "a field containing consolidated data" is clearly claimed as a distinct element from the annotation fields. In fact, as required by antecedent basis, the field containing consolidated data is introduced by the indefinite article "a," thus further clarifying that it is a distinct element. Furthermore, the step of "consolidating the data contained in the annotation fields" clearly requires that the annotation fields be distinct from the "field containing consolidated data."

Regarding Claim 9, the Examiner states "See Claims 1 and 4 rejections, any data is user data using the broadest interpretation" (*Examiner's Answer*, page 5). Thus, the Examiner is arguing that the element of "a data structure containing the consolidated data" recited in Claim 9 is taught by the annotation field disclosed in *Bays*. However, as explained above, such an interpretation ignores the fact that the "data structure" is claimed as a distinct element from the annotation fields. Applicants respectfully submit that, with respect to the above-discussed claim elements, the Examiner's interpretation is overly-expansive, and would require that the claim limitations be rendered meaningless.

The Examiner further argues that, in *Bays*, Figure 2, the "items 77, 78 and 79 individually and together as a whole teach a single field containing the consolidated data" (*Examiner's Answer*, page 9). The cited Figure 2 depicts a screen display which includes annotations. The items 77, 78 and 79 are shown as sections of a single "annotation structure for cell 75" (*Bays*, Col. 9, lines 14-15). That is, *Bays* teaches that

a single annotation structure can include multiple sections, which may be described as "data fields."

However, Applicants respectfully submit that a single annotation structure including multiple sections, as disclosed in *Bays*, in no way teaches the steps of consolidating data contained in multiple annotation fields, and returning the consolidated data in a single field. That is, *Bays* teaches storing multiple fields in a single annotation structure, but does not teach any form of consolidating of such annotations structures. Even if we assume, *arguendo*, that storing multiple fields in a single annotation structure does teach the recited step of consolidating multiple annotation fields, *Bays* does not teach that such "consolidation" is performed after querying an annotation store to retrieve one or more annotation records.

Further, *Bays* does not teach "generating a linking value identifying the portion of the set of data associated with the annotation records," as recited in Claims 1, 12 and 17. The Examiner asserts that the "pointer information" disclosed in *Bays* "must have been brought into existence and was therefore generated." With reference to the "pointer information," *Bays*, Col. 3, Lines 48-53 states:

> For annotation entry, an annotatable data item is chosen (*e.g.* a 5th cell in column y of spreadsheet z) and an annotation is entered and stored. The annotation is associated with the annotatable data item at the time of entry by including pointer information to the annotatable data item with the annotation.

Applicants respectfully point out that, as described in the above citation, *Bays* teaches that the pointer information is included in the annotation "*at the time of entry*" of the annotation. Thus, *Bays* does not teach generating a linking value after retrieving annotation records by querying an annotation store, as recited in the present claims.

Applicants respectfully submit that, as shown above, *Bays* does not disclose "each and every element as set forth in the claim." Further, even assuming the overly expansive interpretation taken by the Examiner, the cited elements of *Bays* are not

"arranged as required by the claim." Therefore, Applicants respectfully request that claims 1, 9, 12 and 17, and dependents therefrom, be allowed.

2. Claims 5 and 6 are not unpatentable over *Bays* as applied to claims above, and in view of official notice, under 35 U.S.C. § 103(a).

Claims 5 and 6 depend, directly or indirectly, on claims that are believed to be allowable, for reasons discussed above. Accordingly, Applicants submit these claims are also allowable and respectfully request withdrawal of this rejection.

CONCLUSION

The Examiner errs in finding that claims 1, 2, 4, 7-13 and 15-20 are anticipated by *Bays* under 35 U.S.C. § 102(a) and 35 U.S.C. § 102(e), and in finding that claims 5 and 6 are unpatentable over *Bays* in view of official notice under 35 U.S.C. § 103(a). Withdrawal of the rejections and allowance of all claims is respectfully requested.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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CLAIMS APPENDIX

1. (Previously Presented) A method for providing annotation information for a set of data, comprising:

querying an annotation store to retrieve one or more annotation records, each annotation record associated with a portion of the set of data and having one or more annotation fields, wherein the set of data is a relational table containing query results;

generating a linking value identifying the portion of the set of data associated with the annotation records;

consolidating data contained in the annotation fields;

returning an annotation data structure comprising a field containing the linking value and a field containing the consolidated data; and

joining the annotation data structure with the set of data using the generated linking value.

2. (Original) The method of claim 1, further comprising returning the set of data with the annotation data structure.

3. (Canceled)

4. (Previously Presented) The method of claim 1, comprising joining the annotation data structure with the set of data prior to returning the annotation data structure.

5. (Original) The method of claim 1, wherein the linking value comprises primary key data.

6. (Original) The method of claim 5, wherein the primary key data comprises compound primary key data involving at least two fields.

7. (Original) The method of claim 1, further comprising receiving a query to retrieve the annotation data, the query identifying the portion of the set of data associated with the annotation records.

8. (Original) The method of claim 1, further comprising:

receiving a query to retrieve the set of data; and

issuing the query against a data source separate from the annotation store to retrieve the set of data.

9. (Original) A method for providing user data and corresponding annotation data, comprising:

receiving, from a requesting entity, a query to return the user data;

retrieving the user data from a data source;

retrieving, from an annotation store, one or more annotation records associated with the one or more annotated portions of the user data;

consolidating annotation data contained in the annotation records;

joining the consolidated annotation data with the user data to generate a data structure containing the consolidated data; and

returning, to the requesting entity, the generated data structure.

10. (Original) The method of claim 9, further comprising generating one or more linking values identifying the one or more annotated portions of the user data.

11. (Original) The method of claim 10, wherein the linking values are utilized in the joining.

12. (Previously Presented) A computer-readable storage medium containing a program for returning annotation data which, when executed by a processor, performs operations comprising:

querying an annotation store to retrieve one or more annotation records, each annotation record associated with a portion of the set of data and having one or more annotation fields, wherein the set of data is a relational table containing query results;

generating a linking value identifying the portion of the set of data associated with the annotation records;

consolidating data contained in the annotation fields;

returning an annotation data structure comprising a field containing the linking value and a field containing the consolidated data.

joining the annotation data structure with the set of data using the generated linking value.

13. (Previously Presented) The computer-readable storage medium of claim 12, wherein the operations further comprise returning the set of data with the annotation data structure.

14. (Canceled)

15. (Previously Presented) The computer-readable storage medium of claim 12, wherein the operations further comprise receiving a query to retrieve the annotation data, the query identifying the portion of the set of data associated with the annotation records.

16. (Previously Presented) The computer-readable storage medium of claim 12, wherein the operations further comprise:

receiving a query to retrieve the set of data; and

issuing the query against a data source separate from the annotation store to retrieve the set of data.

17. (Previously Presented) A system for providing annotation information for a set of data comprising a relational table containing query results, comprising:

an annotation database for storing annotation records containing annotation data; and

an executable component configured to query the annotation store to retrieve one or more annotation records, each annotation record associated with a portion of the set of data and having one or more annotation fields, generate a linking value identifying the portion of the set of data associated with the annotation records, consolidate data contained in the annotation fields, return an annotation data structure comprising a field containing the linking value and a field containing the consolidated data, and join the consolidated annotation data structure with the set of data using the generated linking value.

18. (Original) The system of claim 17, wherein the executable component is further configured to return the set of data with the annotation data structure.

19. (Previously Presented) The system of claim 18, wherein the executable component is further configured to retrieve the set of data from a data source separate from the annotation store.

20. (Previously Presented) The system of claim 18, wherein the executable component is further configured to join the consolidated annotation data with the set of data, using the linking value, prior to returning the set of data with the annotation structure.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.